IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

WP(C).No. 20488 of 2007(L)

PETITIONER:

RAJAMMA,
PARANKAMOOTTIL HOUSE, KARUVATTA, HARIPPAD.

BY ADV. SRI.S.SANAL KUMAR
SMT.BHAVANA VELAYUDHAN

RESPONDENTS:

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1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, K.S.E.B.,
HARIPPAD, ALAPPUZHA DISTRICT.

2. ADDITONAL DISTRICT MAGISTRATE, ALAPPUZHA

3. SINDHU SUNIL,
PARUNKAMOOTTIL THEKKETHIL, KARUVATTA NORTH MURI,
KARUVATTA VILLAGE,ALAPPUZHA DISTRICT.

BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 20488 of 2007

Dated, this the 24th day of July, 2007

J U D G M E N T

Heard learned counsel for the petitioner and learned Standing Counsel for the KSEB. Petitioner is challenging Ext.P3 order whereunder the ADM has approved drawl of electric line over petitioner's property for giving connection to the 3rd respondent. The line approved is only 9 m. of weather proof cable over petitioner's property and the total length of weather proof cable is only 24 metres. This would possibly be the shortest line that could be drawn from the pole near to the beneficiary's house. Learned Standing Counsel submitted that petitioner wants to shift the electric post shown in the sketch at the position 'A' in petitioner's property to the boundary, which will probably reduce the length of the weather proof cable over petitioner's property and it will pass through the boundary. Therefore, there will be direction to the 1st respondent to shift the pole, if petitioner so desires, and draw the weather proof cable in terms of ADM's order. Even though petitioner suggested that line can be drawn more conveniently from the post 'Q' in one Sumathy's property, it is not clear as to how

near that post is from beneficiary's house. If connection can be given by drawl of less than 9 m. of weather proof cable over the said Sumathy's property, first respondent after giving connection through the approved route, will refer the matter to the ADM for reconsideration after hearing Sumathy's objections. In that event, ADM will consider the relative inconvenience to the petitioner and the said Sumathy and decide the matter afresh. However, connection need not be delayed as the line approved over petitioner's property is only weather proof line of such short length.

This writ petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg